IN THE CLAIMS:

The text of all pending claims, (including withdrawn claims) is set forth below. Cancelled and not entered claims are indicated with claim number and status only. The claims as listed below show added text with <u>underlining</u> and deleted text with ~~strikethrough~~. The status of each claim is indicated with one of (original), (currently amended), (cancelled), (withdrawn), (new), (previously presented), or (not entered).

Please CANCEL claim 17, AMEND claims 1 and 5 and ADD claim 18 in accordance with the following:

1. (Currently Amended) A merchandise order apparatus<u>,</u> comprising:

a receiving unit receiving an order signal including remainder quantity information that shows a remainder quantity of merchandise;

a prediction period calculation unit calculating a period <u>left</u> until a remainder quantity of the merchandise ~~is~~ <u>will be</u> exhausted based on purchase history of a purchaser and the remainder quantity information;

<u>a shop information acquisition unit acquiring, from each of a plurality of shops, selling prices of the merchandise for a specified period and recording the selling prices of the merchandise for the specified period by associating the selling prices with shop names and selling dates;</u>

an order information preparation unit selecting a shop where the merchandise can be purchased most cheaply <u>and a purchase date within the calculated period</u>, based on the calculated period and ~~a~~ <u>the</u> selling price of the merchandise, and preparing order information based on the selection; and

an order unit ordering the merchandise from the selected shop based on the order information.

2. (Original) The merchandise order apparatus according to claim 1 wherein

the order information preparation unit selects a purchase day and shop when and where the merchandise can be purchased most cheaply, taking into consideration a delivery charge, within the calculated period, and

the order unit places an order with the selected shop so that the merchandise can be purchased on the selected purchase day.

3. (Original) The merchandise order apparatus according to claim 1 wherein the order information preparation unit selects the purchase day and shop by taking into consideration a fluctuation of the selling price.

4. (Original) The merchandise order apparatus according to claim 1 wherein the prediction period calculation unit calculates the period by taking into consideration a season change and the purchase history.

5. (Original) The merchandise order apparatus according to claim 1 wherein in a case that the remainder quantity information shows that a remainder quantity of the merchandise is half, the prediction period calculation unit calculates a period M until a remainder quantity of the merchandise is exhausted, using a following equation:

$$M = N \times K$$

where, N is period between a day when the unit receives the order signal and the previous purchase day, and K is a ~~fluvtuation~~ fluctuation of a consumption pace.

6. (Original) The merchandise order apparatus according to claim 1 wherein the remainder information shows that the merchandise is exhausted, the prediction period calculation unit sets the period as a shortest period.

7. (Original) The merchandise order apparatus according to claim 1
further comprising a prediction order quantity calculation unit calculating a prediction order quantity based on the calculated period, the purchase history, and remainder quantity information,
wherein the order unit notifies the selected shop of the prediction order quantity when placing an order.

8. (Original) The merchandise order apparatus according to claim 7 wherein the prediction order quantity calculation unit calculates a prediction order quantity R using a following equation:

$$R = V (N+M)/2N \text{ or}$$
$$R = V (1+K)/2$$

where, N is a period between a day when the unit receives the order signal and the previous purchase day, K is a fluctuation of a consumption pace, M is the calculated period and V is a storage capacity of a merchandise storage container of the purchaser.

9. (Original) The merchandise order apparatus according to claim 7 wherein the prediction order quantity calculation unit sets a prediction order quantity to a storage capacity of a merchandise storage container of the purchaser, in a case that the remainder quantity information shows that the merchandise is exhausted.

10. (Original) The merchandise order apparatus according to claim 1 wherein the receiving unit receives the order signal when a remainder quantity of the merchandise becomes a predetermined quantity or when the merchandise is exhausted.

11. (Original) The merchandise order apparatus according to claim 1 wherein the merchandise is fluid merchandise.

12. (Currently Amended) A merchandise order method implemented using a computer, comprising:

receiving an order signal including remainder quantity information that shows a remainder quantity of merchandise;

automatically calculating a period left until a remainder quantity of the merchandise is will be exhausted, based on purchase history of a purchaser and the remainder quantity information;

receiving price signals with selling prices of the merchandise at a plurality of shops for a specified period and recording the selling prices of the merchandise for the specified period by associating the selling prices with shop names and selling dates;

automatically selecting a shop where the merchandise can be purchased most cheaply, based on a purchase date within the calculated period and a the selling price of the merchandise;

automatically preparing order information based on the selection; and

automatically placing an order with the selected shop based on the order information.

13. (Original) The merchandise order method according to claim 12 further comprising:

selecting a purchase day and a shop when and where the merchandise can be purchased most cheaply, taking into consideration the delivery charge, within the calculated period; and

placing an order with the selected shop so that the merchandise can be purchased on the purchase day.

14. (Original) The merchandise order method according to claim 12 further comprising:

calculating a prediction order quantity based on the calculated period, the purchase history, and remainder quantity information; and

notifying the selected shop of the prediction order quantity when placing an order.

15. (Original) The merchandise order method according to claim 12 further comprising calculating the period in consideration of a season change and the purchase history.

16. (Original) The merchandise order method according to claim 12 further comprising receiving an order signal when a remainder quantity of the merchandise becomes a predetermined quantity or the merchandise is exhausted.

17. (Cancelled)

18. (New) A merchandise order apparatus, comprising:

a calculation unit calculating a first period of time left until a remaining quantity of merchandise will be exhausted based on purchase history of a purchaser;

a storage unit recording, for a plurality of shops, shop names, selling dates and selling prices of the merchandise for a second period of time; and

an ordering unit outputting order information for one of the shops where the merchandise can be purchased most cheaply on a purchase date within the first and second periods, based on the selling prices and selling dates of the merchandise recorded by said storage unit.

5